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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN JOSE DIVISION**  
14

15 IN RE: HIGH-TECH EMPLOYEE  
16 ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

17 THIS DOCUMENT RELATES TO:

18  
19 ALL ACTIONS  
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**DECLARATION OF GREGORY M.  
SERGI IN SUPPORT OF  
DEFENDANTS' JOINT RESPONSE TO  
PLAINTIFFS' MOTION FOR  
APPLICATION OF THE PER SE  
STANDARD**

1 I, Gregory M. Sergi, hereby declare and say:

2 1. I am an attorney with Munger, Tolles & Olson LLP, counsel of record for Intel  
3 Corporation (“Intel”) in this case, a member of the State Bar of California, and admitted to  
4 practice before this Court. I make this declaration in support of Defendants’ Joint Response to  
5 Plaintiffs’ Motion for Application of the Per Se Standard being filed concurrently with this  
6 declaration. I make this declaration based on my own personal knowledge. If called and sworn as  
7 a witness, I could and would competently testify to the truth of the matters stated below.

8 2. Attached as **Exhibit 1** is a true and correct copy of excerpts from the court  
9 reporter’s transcript of the hearing held in the above-captioned matter on March 27, 2014.

10 3. Attached as **Exhibit 2** is a true and correct copy of excerpts from the deposition of  
11 Edward E. Leamer, Ph.D., on November 18, 2013, in the above-captioned matter.

12 4. Attached as **Exhibit 3** is a true and correct copy of excerpts from the deposition of  
13 Matthew Marx, on November 15, 2013, in the above-captioned matter.

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15 I declare under penalty of perjury under the laws of the United States that the foregoing is  
16 true and correct.

17 Executed this 18th day of April, 2014 at Los Angeles, California.

18 DATED: April 18, 2014

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20 */s/ Gregory M. Sergi*

21 Gregory M. Sergi  
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